

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

PETER A. CHIEJINA, and
PICCOL NIGERIA LTD.,

Petitioners-Appellees,

v.

FEDERAL REPUBLIC OF NIGERIA,

Respondent-Appellant.

Case No. 22-7146

**NOT YET SCHEDULED
FOR ORAL ARGUMENT**

**JOINT NOTICE REGARDING SETTLEMENT NEGOTIATIONS AND
MOTION FOR EXTENSION OF BRIEFING SCHEDULE**

Respondent-Appellant the Federal Republic of Nigeria and Petitioners-Appellees Peter A. Chiejina and PICCOL Nigeria Ltd. hereby notify the Court that serious settlement negotiations between the parties are underway and respectfully request that the Court extend the deadlines established in its December 16, 2022 Order, such that the briefing schedule would be:

Appellant's Brief	February 10, 2023 (16-day extension)
Appellees' Brief	March 31, 2023 (5-week extension)
Appellant's Reply Brief	April 28, 2023 (6-week extension)

Deferred Appendix

May 5, 2023
(6-week extension)

Final Briefs

May 19, 2023
(6-week extension)

The reasons for this request are as follows:

1. Appellees have made a serious settlement proposal. Nigeria is in the process of formulating its response, which it expects to be in the form of a counter-proposal. This process requires coordination and approval across multiple offices and agencies of the Nigerian government. Accordingly, the parties have made only limited progress towards reaching a settlement agreement.

2. This appeal raises important questions regarding the proper interpretation of the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1330, 1332, 1391(f), 1441(d), and 1602–12. These issues significantly affect Nigeria’s sovereign interests. Any brief filed by Nigeria must therefore go through appropriate governmental review and consultation. This is a time consuming process that may affect Nigeria’s ability to meet the current deadlines set by the Court.

3. Counsel for Appellees, Theodore J. Folkman, is currently scheduled to start a one-week jury trial in the Suffolk County (Massachusetts) Superior Court on March 13, 2023. The plaintiff in that case has served a motion for a continuance, but none has been granted to date. Granting a 16-day extension to the Appellant and

a corresponding 16-day extension to the Appellee would result in the Appellee's principal Brief being due during that trial.

4. No prior request has been made by any party for an extension of time to file a brief. The parties have made this motion 14 days before Appellant's principal Brief is due under the current schedule. No date has been set for oral argument.

Dated: January 11, 2023

Respectfully submitted,

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Peter A. Chiejina and
PICCOL Nigeria Ltd.

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Federal Republic of Nigeria

CERTIFICATE OF COMPLIANCE

1. This notice and motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) and D.C. Cir. R. 32(e)(1) because this motion contains 336 words, excluding the parts of the notice and motion exempted by Fed. R. App. P. 32(f).
2. This notice and motion complies with the typeface and type-style requirements of Fed. R. App. P. 27(d)(1)(E) because this motion has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14-point Times New Roman font.

Dated: January 11, 2023

/s/ Tara M. Lee

Tara M. Lee (DC Bar No. 17902)

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2023, I caused the foregoing notice and motion to be filed with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to the following:

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